

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHEON ARNOLD,

Plaintiff,

-against-

LOUIS DEJOY, UNITED STATES
POSTMASTER GENERAL; UNITED STATES
POSTAL SERVICE,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/3/2024

1:24-cv-4814-GHW

ORDER OF SERVICE

GREGORY H. WOODS, United States District Judge:

Plaintiff Sheon Arnold, a New Jersey resident, who is proceeding *pro se*, brings this action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17; 42 U.S.C. § 1981; 38 U.S.C. § 4212; the New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-101 to 131; and the New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297, alleging that his employer discriminated against him based on his race and status as a military veteran. By order dated July 2, 2024, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees.

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

¹Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

To allow Plaintiff to effect service on Defendants Louis DeJoy and the United States Postal Service through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for Defendants. The Clerk of Court is also instructed to: (1) mark the box on the USM-285 form labeled “Check for service on U.S.A.”; (2) issue summonses; and (3) deliver to the Marshals Service a copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States and these defendants.

If the complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION


The Clerk of Court is instructed to issue a summons for each Defendant, complete the USM-285 form with the address for each Defendant, and deliver all documents necessary to effect service to the U.S. Marshals Service.

Plaintiff may receive court documents by email by completing the attached form, [Consent to Electronic Service](#).²

The Clerk of Court is directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: July 3, 2024



GREGORY D. WOODS
United States District Judge

² If Plaintiff consents to receive documents by email, Plaintiff will no longer receive court documents by regular mail.

SERVICE ADDRESS FOR EACH DEFENDANT

1. Louis DeJoy, Postmaster General
475 L'Enfant Plaza, SW
Room 4012
Washington, DC 20260-2200
2. United States Postal Service
475 L'Enfant Plaza, SW
Washington, D.C. 20602-2200
3. United States Attorney General, Southern District of New York
Civil Division
86 Chambers Street, Third Floor
New York, New York 10007
4. Attorney General of the United States
950 Pennsylvania Avenue, N.W.
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